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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, OCTOBER 31, 2000

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

CASE NO. PUE000569

Ex Parte, In re: Kentucky Utilities Company;
d/b/a/ Old Dominion Power Company;
Regional Transmission Entities

ORDER CONCERNING ELECTRONIC FILING

By order dated July 19, 2000, the Commission promulgated regulations governing incumbent electric utilities' transfer of the ownership or control of transmission assets to regional transmission entities ("RTEs"). These regulations ("RTE regulations") were issued pursuant to §§ 56-577 and 56-579 of the Virginia Electric Utility Restructuring Act. The regulations include 20 VAC 5-320-100 and 20 VAC 5-320-110, which establish the contents of the filing each incumbent electric utility is required to make concerning the RTE it has joined or proposes to join. 20 VAC 5-320-120 requires Virginia's incumbent electric utilities to file the applications required by the aforesaid regulations not later than October 16, 2000.

On October 16, 2000, Kentucky Utilities Company, d/b/a/ Old Dominion Power Company ("Kentucky Utilities" or "the company"), made its filing pursuant to the RTE regulations, and thereby made its application for approval of the transfer of the operational control of its transmission facilities. At that time, however, it filed with the Clerk of the Commission two paper copies of its application and associated filing documents while providing an additional, complete paper set of the same to the Commission's Staff. The company did not, therefore, file an original and fifteen paper copies of its entire application package as required by Rule 5:12 of the Commission's Rules of Practice and Procedure.

By motion dated October 20, 2000, however, the company requested relief from Rule 5:12's requirements, retroactive to the October 16, 2000 filing deadline, because of the voluminous nature of its application that consists almost entirely of a large volume of Federal Energy Regulatory Commission ("FERC") filings made on behalf of the Midwest Independent System Operator ("MISO"). These FERC filings reportedly relate to the company's membership in MISO. Accordingly, the company has requested that the Commission accept in satisfaction of Rule 5:12, those paper copies of its filings already furnished to the Clerk of the Commission and the Commission Staff on October 16, 2000, plus fifteen (15) electronic copies of its entire filing to be provided in PDF format, or in electronic format compatible with Microsoft Office 97, on separate compact disks.

Rule 5:12 of the Commission's Rules of Practice and Procedure requires, in pertinent part, that applications (such as these required by the RTE regulations) be filed in original with fifteen (15) copies unless otherwise specified by the Commission. We note, however, that in compliance filings required by these same RTE regulations, and made by the Virginia Electric and Power Company ("Virginia Power") and Appalachian Power Company d/b/a/ American Electric Power Company, Inc., ("AEP"), this Commission, on its own motion, issued orders permitting Virginia Power and AEP to each file an original and one paper copy of documents associated with the companies' Alliance Regional Transmission Organization ("RTO") filings at FERC ("the Alliance documents") and made part of each company's RTE filing, pursuant to 20 VAC 5-320-100 and 20 VAC 5-320-110.¹ There, too, the companies represented that their FERC-related RTO filings included in their applications under the RTE regulations, were voluminous and had, on that basis and prior to the October 16, 2000 filing deadline established by the rules, requested relief from the strict requirements of Rule 5:12. The companies were further directed by our orders to furnish 15 copies of the Alliance documents in PDF format, or

¹ Commonwealth of Virginia, ex rel., State Corporation Commission, Ex Parte, In re: Appalachian Power Company d/b/a/ American Electric Power Company, Inc.; Regional Transmission Entities, Case No. PUE000550. Commonwealth of Virginia, ex rel., State Corporation Commission, Ex Parte, In re: Virginia Electric and Power Company; Regional Transmission Entities, Case No. PUE000551.

in electronic format compatible with Microsoft Office 97 on separate compact disks or disk sets. Under these orders, however, AEP or Virginia Power may be required to produce additional paper copies of the Alliance documents upon request of the Commission's Staff, or if so directed by the Commission.

Upon consideration, we find that due to the large document volume Kentucky Utilities represents is associated with the FERC filings concerning the MISO that accompany their application under our RTE regulations, and in light of our previous orders concerning AEP and Virginia Power and our treatment therein concerning documentation involving FERC-related RTO filings, good cause has been shown to grant the company the relief it seeks.

Accordingly, IT IS ORDERED THAT:

(1) On or before November 10, in addition to the two paper copies of the filings provided the Clerk of the Commission on October 16, 2000, and the additional set furnished the Staff of the Commission, Kentucky Utilities shall file with the Clerk of the Commission fifteen (15) copies of that part of their application required under the RTE regulations that consists of copies of documents filed at the FERC pertaining to the company's membership in the Midwest Independent System Operator, or MISO, in PDF format, or in electronic format compatible with Microsoft Office 97 on separate compact disks or sets thereof, clearly labeled as to content, provided, however, that such companies shall produce additional paper copies of such documents upon request of the Commission's Staff or if so directed by the Commission.

(2) Except as provided in ordering paragraph (1) herein, however, all other filings required of the company under the RTE regulations pursuant to 20 VAC 5-320-100 and 20 VAC 5-320-110, including any and all applications required thereunder together with all related documentation, shall be filed in the quantities and medium specified in Rule 5:12 of the Commission's Rules of Procedure and Practice.

ATTESTED COPIES of this Order shall be sent by the Clerk of the Commission to:
Douglas M. Brooks, Esquire, LG&E Energy Corp., 220 West Main Street, P.O. Box 32030,

Louisville, Kentucky 40232; and the Commission's Divisions of Energy Regulation, Economics and Finance, and Public Utility Accounting.